EXHIBIT "1"

Plaintiffs,

AQ 88A (Rev. 02/14) Subpoena to Testify at a Deposition in a Civil Action

UNITED STATES DIST	TRICT COU	JRT
Southern District of	New York	
State Farm Mutual Automobile Insurance, et al. Plaintiff)		
v.)	Civil Action No.	20-CV-00443 (JPO)
Fatiha, et al.		
Defendant)	CYCLON IN A CIT	VII ACTION
SUBPOENA TO TESTIFY AT A DEPOS		VIL ACTION
To: Vladislav Ag 33 Trail View Lane, Windh	am, New York 124	
(Name of person to whom this		
deposition to be taken in this civil action. If you are an organization or managing agents, or designate other persons who consent to test those set forth in an attachment:	an von must desig	inate one of more officers, directors,
Place: Rivkin Radler, LLP 926 RXR Plaza Uniondale, NY 11556	Date and Time:	04/03/2023 10:00 am
Control of	raphically	
Production: You, or your representatives, must also bring electronically stored information, or objects, and must permaterial:	g with you to the comit inspection, co	deposition the following documents, opying, testing, or sampling of the
The following provisions of Fed. R. Civ. P. 45 are attached Rule 45(d), relating to your protection as a person subject to a subrespond to this subpoena and the potential consequences of not do	poena, and Kuie	elating to the place of compliance; 45(e) and (g), relating to your duty to
Date: 03/02/2023		
CLERK OF COURT	OR	/s/ Garin Scollan
Cal Law Donath Clark		Attorney's signature

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

State Farm Mutual Automobile Insurance, et al. , who issues or requests this subpoena, are: Garin Scollan, 926 RXR Plaza, Uniondale, NY 11556, garin.scollan@rivkin.com, 516-357-3372

Signature of Clerk or Deputy Clerk

The name, address, e-mail address, and telephone number of the attorney representing (name of party)

AO 88A (Rev. 02/14) Subpoena to Test	ify at a Deposition in a Civil Action (Page 2)	
Civil Action No. 20-CV-004	43 (JPO)	

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

TI I corved the s	ubpoena by delivering a copy to the nam	ed individual as follows:	
	dopoend by was		
		on (date)	; or
Unless the subp	oena was issued on behalf of the United switness the fees for one day's attendance	States, or one of its officers or and the mileage allowed by leading to the state of the state o	agents, I have also aw, in the amount of
\$	•		
fees are \$	for travel and \$	for services, for a total	al of \$ 0.00
	penalty of perjury that this information is	true.	
I declare under	<u>*</u>		
		Server's signature	1
		Server's signature Printed name and title	

Additional information regarding attempted service, etc.:

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

(1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

(A) within 100 miles of where the person resides, is employed, or

regularly transacts business in person; or

(B) within the state where the person resides, is employed, or regularly transacts business in person, if the person

(i) is a party or a party's officer, or

(ii) is commanded to attend a trial and would not incur substantial

(2) For Other Discovery. A subpoena may command:

(A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and

(B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction-which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

(A) Appearance Not Required. A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) Objections. A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an

order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

- (A) When Required. On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:
 - (i) fails to allow a reasonable time to comply;

(ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);

(iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

(iv) subjects a person to undue burden.

(B) When Permitted. To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's

study that was not requested by a party.

(C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be

otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

(1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:

(A) Documents. A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) Form for Producing Electronically Stored Information Not Specified. If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) Electronically Stored Information Produced in Only One Form. The

person responding need not produce the same electronically stored

information in more than one form.

(D) Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

(A) Information Withheld. A person withholding subpocnaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

Case 1:20-cv-00443-JPO ATTION Filed 05/18/23 Page 5 of 28

EASTERN DISTRICT OF NEW YORK

STATE FARM MUTUAL AUTOMOBILE INSURANCE, ET AL.

Plaintiff(s)
Petittioner(s)

RETURN DATE:
4/3/2023 @ 10:00AM

Defendant(s)

ATTORNEY FILE#:

STATE OF NEW YORK: COUNTY OF NASSAU: ss:

UNITED STATES DISTRICT COURT FOR THE

TONY CONIGLIARO, BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION AND IS OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK

Respondent(s)

20662-50003

That on 03/23/2023, 11:51AM at 33 TRAIL VIEW LANE, WINDHAM, NY 12496, deponent served a SUBPOENA TO TESTIFY AT A DEPOSITION IN A CIVIL ACTION WITH A \$250.00 WITNESS FEE on VLADISLAV AGUVAYEV, a witness in the above action.

By affixing a true copy thereof to the door of said premises, the same being the witness's dwelling place/usual place of abode within the State of NEW YORK.

Deponent completed service by depositing a copy of the above described papers in a post paid, properly addressed envelope in an official depository under the exclusive care and custody of the United States Post Office in the State of NEW YORK, on 03/23/2023 addressed to witness VLADISLAV AGUVAYEV at 33 TRAIL VIEW LANE, WINDHAM, NY 12496 with the envelope bearing the legend PERSONAL AND CONFIDENTIAL and did not indicate on the outside thereof that the communication was from an attorney or concerned an action against the witness, VLADISLAV AGUVAYEV.

Deponent had previously attempted to serve the above named defendant/respondent on the following: 03/03/2023 06:47PM 03/04/2023 01:16PM 03/10/2023 10:00AM 03/18/2023 07:19AM

RIVKIN RADLER LLP

926 RXR PLAZA

UNIONDALE, NY 11556-0926 (516)357-3000 JOHN DAY MOND

Sworn to before me on 03/27/2023 MAUREEN MCCAFFREY NO.01MC5018583 NOTARY PUBLIC, STATE OF NEW YORK QUALIFIED IN SUFFOLK COUNTY COMMISSION EXPIRES OCTOBER 4, 2025

m. mg/

Case 1:20-cv-00443-JPO AFFRANT-OFF SERVICE Filed 05/18/23 Page 6 of 28

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UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NEW YORK		
STATE FARM MUTUAL AUTOMOBILE INSURANCE, ET AL.		INDEX #; 20-CV-00443 (JPO)
- against - FATIHA, ET AL.	Plaintiff(s) Petittioner(s)	RETURN DATE: 4/3/2023 @ 10:00AM
•	Defendant(s) Respondent(s)	ATTORNEY FILE#: 20662-50003
STATE OF NEW YORK: COUNTY OF NASSAU: ss:		*
TONY CONIGLIARO, BEING DULY SWORN DEPOSES AND SAYS DEPONE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK	NT IS NOT A PARTY	TO THIS ACTION AND IS OVER THE AGE
That on 03/22/2023, 01:21PM at THE LOBBY OF 1360 OCEAN PARKWAY, BI TESTIFY AT A DEPOSITION IN A CIVIL ACTION WITH A \$95.00 WITNESS FE	ROOKLÝN, NY 1123: EE on VLADISLAV A	D, deponent served a SUBPOENA TO GUVAYEV, a witness in the above action.
By delivering a true copy thereof to and leaving with ORLANDO "DOE"/DOOR discretion at the above address, the said premises being the witness's dwelling		
Deponent completed service by depositing a copy of the above described paper depository under the exclusive care and custody of the United States Post Office witness VLADISLAV AGUVAYEV at 1360 OCEAN PARKWAY, APARTMENT #'legend PERSONAL AND CONFIDENTIAL and did not indicate on the outside to concerned an action against the witness, VLADISLAV AGUVAYEV.	ce in the State of NE 10E, BROOKLYN, N	W YORK, on 03/23/2023 addressed to // 11230 with the envelope bearing the
DEPONENT DESCRIBES THE INDIVIDUAL SERVED AS FOLLOWS: Sex M Approximate age 60 Approximate height 5'09" Approximate weig Other ACCENT	ght 195 Color of sk	in WHITE Color of hair BALDING GRAY

THE DOORMAN PERFORMS NORMAL DUTIES AS A DOORMAN AND WOULD NOT ALLOW DEPONENT ACCESS TO WITNESS'S APARTMENT DOOR.

RIVKIN RADLER LLP

926 RXR PLAZA

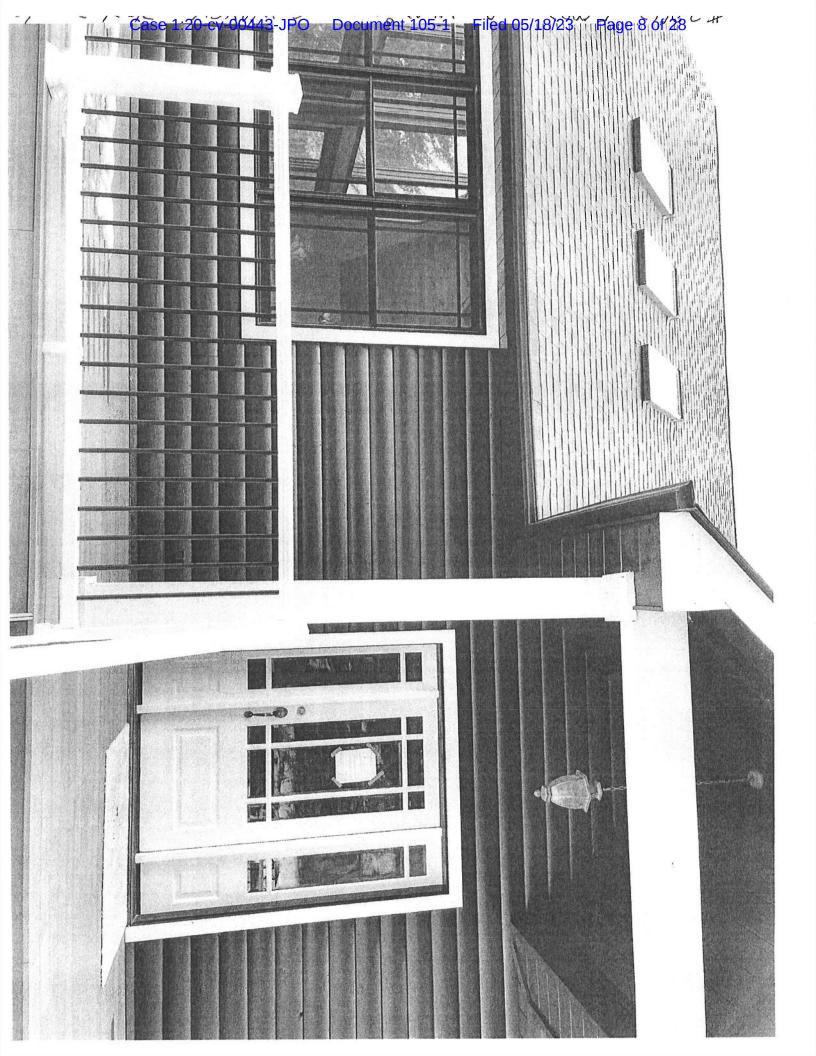
UNIONDALE, NY 11556-0926 (516)357-3000

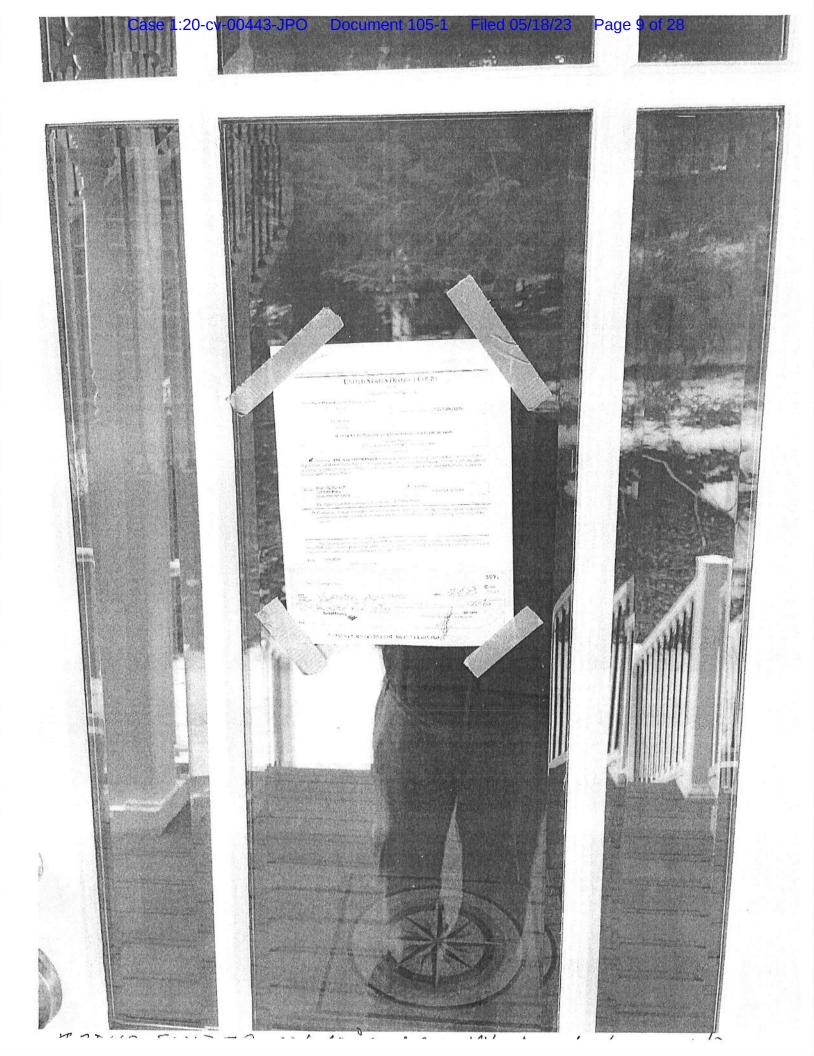
Sworn to before me on 03/27/2023 MAUREEN MCCAFFREY NO.01MC5018583 NOTARY PUBLIC, STATE OF NEW YORK QUALIFIED IN SUFFOLK COUNTY COMMISSION EXPIRES OCTOBER 4, 2025

. . . .

Case 120 80-00048 100 Docume@e108 cate Piled 05/18/23 Page 7 of 28
POSTAL SERVICE Mailing meter postage here. Als Certificate of Mailing provides evidence that mail has been presented to USPS® for mailing. his form may be used for domestic and international mail.
tom:
P.O. BOX 470
"D
—— "Personal & Confidential"
Postmark, Here
o: Vladislav Agurayer
1360 Ocean Parkway
Apartment 10E
Brooklyn, NY 11230
PS Form 3817, April 2007 PSN 7530-02-000-9065
UNITED STATES Certificate Of
POSTAL SERVICE Mailing To pay fee, affix stamps or meter postage here.
nis Certificate of Mailing provides evidence that mail has been presented to USPS® for mailing. his form may be used for domestic and international mail.
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33 Trail View Lane
Windham, New York 12496

PS Form 3817, April 2007 PSN 7530-02-000-9065





State Farm Mutual Automobile Insurance, et al. Plaintiff	88A (Rev. 02/14) Subpoena to Testi	fy at a Deposition in a Civil Action				
State Farm Mutual Automobile Insurance, et al. Plaintiff			DIST	RICT COU	IRT	
State Farm Mutual Automobile Insurance, et al. Plaintiff						
Plaintiff V.		Southern Dis	strict of N	lew York	Marie	1
Plaintiff V.	State Farm Mutual Autom	obile Insurance, et al.)			
SUBPOENA TO TESTIFY AT A DEPOSITION IN A CIVIL ACTION Renat Dashkevich 14 Cass Place, Apt. 6F, Brooklyn, New York 11235 (Name of person to whom this subpoena is directed) **Testimony: YOU ARE COMMANDED to appear at the time, date, and place set forth below to testify at a eposition to be taken in this civil action. If you are an organization, you must designate one or more officers, directors or managing agents, or designate other persons who consent to testify on your behalf about the following matters, or hose set forth in an attachment: Place: Rivkin Radler, LLP 926 RXR Plaza Uniondale, NY 11556 The deposition will be recorded by this method: Stenographically Production: You, or your representatives, must also bring with you to the deposition the following documents electronically stored information, or objects, and must permit inspection, copying, testing, or sampling of the material: The following provisions of Fed. R. Civ. P. 45 are attached — Rule 45(e), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty respond to this subpoena and the potential consequences of not doing so. Date: 03/02/2023 CLERK OF COURT OR Isl Garin Scollan Autorney's signature Plaintiffs, the place and party Plaintiffs, the party Plaintiffs, the party Plaintiffs, the party Plaintiffs, the party Plain	and the second s)	Seed Action No.	20-CV-00443 (JPO)	
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CLERK OF COURT OR /s/ Garin Scollan Signature of Clerk or Deputy Clerk Attorney's signature Plaintiffs,		anotaction as a person subject	, to a suc	DOOLLOS, SILLING	elating to the place of compli 45(e) and (g), relating to you	ance; ir duty
Signature of Clerk or Deputy Clerk Attorney's signature Plaintiffs, The name address, e-mail address, and telephone number of the attorney representing (name of party) Plaintiffs,	Date:03/02/2023	CLERK OF COURT		OR	Icl Carin Scollan	
Signature of Clerk or Deputy Clerk The name address, e-mail address, and telephone number of the attorney representing (name of party) Plaintiffs,						
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THE HOURS AND	The name address e-mail	address, and telephone numb	er of the	attorney represen	ting (name of party)	

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vil Action	on No. 20-CV-00443 (JPO)		
	PROOF OF SERVICE (This section should not be filed with the court unless r	equired by Fed. R. Civ. 1	P. 45.)
I re	received this subpoena for (name of individual and title, if any)		
(date)			
	I served the subpoena by delivering a copy to the named indiv	ridual as follows:	7
	on	(date) ;	or
D			
-		or one of its officers or ag	ents, I have also
-	I returned the subpoena unexecuted because: Inless the subpoena was issued on behalf of the United States, condered to the witness the fees for one day's attendance, and the	or one of its officers or ag	ents, I have also
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Server's address

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(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees-on a party or attorney who fails to comply.

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(i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an

order compelling production or inspection,

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(C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored

information in more than one form.
(D) Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(Č). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

(A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

Case 1:20-cv-00443-JPO ADDIOAMIERE SEBVICE Filed 05/18/23 Page 13 of 28

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NEW YORK

STATE FARM MUTUAL AUTOMOBILE INSURANCE, ET AL.

INDEX #:

20-CV-00443 (JPO)

Plaintiff(s)

Petittioner(s)

RETURN DATE:

4/2/2023 @ 9:00AM

- against -FATIHA, ET AL.

Defendant(s)

ATTORNEY FILE#:

Respondent(s)

20662-50003

STATE OF NEW YORK: COUNTY OF NASSAU: ss:

TONY CONIGLIARO, BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION AND IS OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK

That on 03/17/2023, 07:46AM at 17-10 RADBURN ROAD, FAIRLAWN, NJ 07410, deponent served a SUBPOENA TO TESTIFY AT A DEPOSITION IN A CIVIL ACTION WITH A \$105.00 WITNESS FEE on RENAT DASHKEVICH, a witness in the above action.

By personally delivering to and leaving with the said witness personally a true copy thereof, and that he knew the person so served to be the person mentioned and described in the above mentioned papers.

DEPONENT DESCRIBES THE INDIVIDUAL SERVED AS FOLLOWS:

Approximate age 41 Approximate height 5'10" Approximate weight 185 Color of skin WHITE Color of hair BALD Other

BEARD & NEW JERSEY LICENSE PLATE #:W68RHY

RIVKIN RADLER LLP

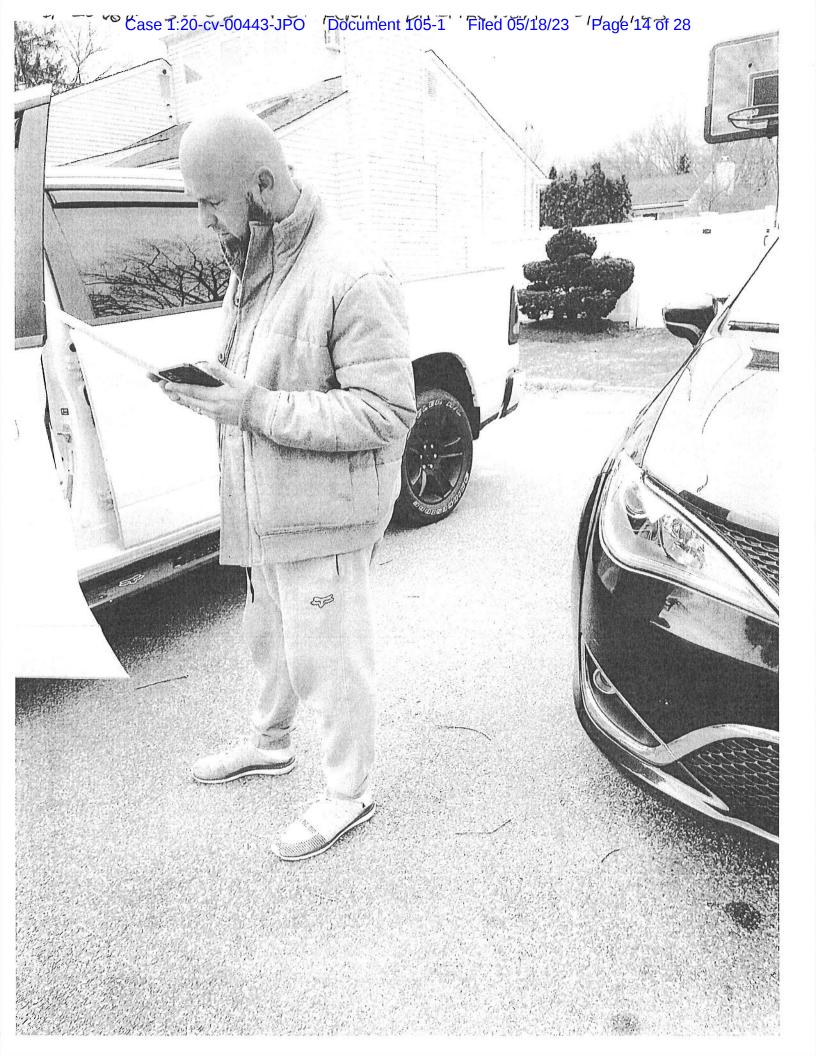
926 RXR PLAZA

UNIONDALE, NY 11556-0926 (516)357-3000

TONY CONIGLIARO

Sworn to before me on 03/21/2023 MAUREEN MCCAFFREY NO.01MC5018583 NOTARY PUBLIC, STATE OF NEW YORK QUALIFIED IN SUFFOLK COUNTY

COMMISSION EXPIRES OCTOBER 4, 2025



AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern Distr	rict of New York
State Farm Mutual Automobile Insurance, et al. Plaintiff V. Fatiha, et al. Defendant)) Civil Action No. 20-CV-00443 (JPO)))
SUBPOENA TO PRODUCE DOCU OR TO PERMIT INSPECTION	MENTS, INFORMATION, OR OBJECTS OF PREMISES IN A CIVIL ACTION
SVA	Enterprises Inc. Hunter, New York 12442
(Name of person to	o whom this subpoena is directed)
documents, electronically stored information, or objects, material: See Attached Rider	duce at the time, date, and place set forth below the following and to permit inspection, copying, testing, or sampling of the
Place: Rivkin Radler, LLP	Date and Time:
926 RXR Plaza Uniondale, New York 11556	11/08/2022 10:00 am
it was a second or controlled by you at the time	DED to permit entry onto the designated premises, land, or e, date, and location set forth below, so that the requesting party the the property or any designated object or operation on it. Date and Time:
The following provisions of Fed. R. Civ. P. 45 at Rule 45(d), relating to your protection as a person subject respond to this subpoena and the potential consequences Date: 10/17/2022	are attached – Rule 45(c), relating to the place of compliance; et to a subpoena; and Rule 45(e) and (g), relating to your duty to of not doing so.
CLERK OF COURT	OR
	/s/ Garin Scollan
Signature of Clerk or Deputy	y Clerk Attorney's signature
The name, address, e-mail address, and telephone number	er of the attorney representing (name of party)
State Farm Mutual Automobile Insurance Company	, who issues or requests this subpoena, are.
Garin Scollan, 926 RXR Plaza, Uniondale, NY 11556, ga	arin.scollan@rivkin.com, 516-357-3000
Notice to the person who	o issues or requests this subpoena s, electronically stored information, or tangible things or the

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action (Page 2)

Civil Action No. 20-CV-00443 (JPO)

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

(date)	·		
☐ I served the	subpoena by delivering a copy to the na	med person as follows:	
		on (date) ;	or
Unless the subtendered to the	poena was issued on behalf of the United witness the fees for one day's attendanc	I States, or one of its officers or agents, I e, and the mileage allowed by law, in the	have also amount of
\$	and the second s		
y fees are \$	for travel and \$	for services, for a total of \$	0.00
I declare under	penalty of perjury that this information	is true.	
nte:		Server's signature	
		DOLYGO II BIGUARAN	
	management of the second secon	Printed name and title	

Additional information regarding attempted service, etc.:

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

(1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

(A) within 100 miles of where the person resides, is employed, or

regularly transacts business in person; or (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person

(i) is a party or a party's officer; or

(ii) is commanded to attend a trial and would not incur substantial

(2) For Other Discovery. A subpoena may command:

(A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and

(B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement,

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction-which may include lost earnings and reasonable attorney's fees-on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

(A) Appearance Not Required. A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) Objections. A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises-or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an

order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

(A) When Required. On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

(i) fails to allow a reasonable time to comply;

(ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);

(iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

(iv) subjects a person to undue burden.

(B) When Permitted. To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

(1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored

(A) Documents. A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) Form for Producing Electronically Stored Information Not Specified. If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored

information in more than one form.

(D) Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

(A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.
The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

RIDER "A"

Page 18 of 28

Time Period:

January 1, 2013 to the Present.

Categories:

For the time period identified above:

- 1. All agreements or contracts (including all schedules and exhibits) between: (i) SVA Enterprises, Inc. ("SVA") and (ii) Bronx Management, Inc., Concept Medical Supply, Inc., Michael Berezovsky, Brook Medical Health Practice, P.C., Dundar S. Tuzun, M.D., Tri-Mount Acupuncture, P.C., Daehan Yoon, Dr. Ibrahim Fatiha Chiropractic, P.C., Ibrahim Fatiha, D.C., and/or any individual or entity operating from 489 Brook Avenue, Bronx, New York (collectively, the "Brook Ave Parties").
- 2. All W-2s, 1099s, and other proof of payment issued by SVA to any individual who provided technician services for or on behalf of SVA, including but not limited to the technicians that provided services to any of the Brook Ave Parties.
- Corporate tax returns (including quarterly reports) and general ledgers for SVA.
- 4. All written communications, including but not limited to letters, emails, text messages, and/or facsimile transmissions, between: (i) SVA and (ii) any of the Brook Ave Parties.
- 5. All documents related to or reflecting payments made to SVA by or on behalf of any of the Brook Ave Parties, including but not limited to any invoices.
- 6. All documents reflecting or demonstrating any goods and/or services performed or provided by SVA to, for, or on behalf of any of the Brook Ave Parties.

Note: To the extent this rider references a corporation or individual, the reference is to that corporation or individual directly or any individual or entity acting for or on its behalf, including any attorneys or law firms representing that corporation or individual.

Please contact Rivkin Radler LLP, c/o Garin Scollan, Esq. with any questions at (516) 357-3372 or garin.scollan@rivkin.com.

Case 1:20-cv-00443-JPO ADTOPATION \$650 PC Filed 05/18/23 Page 19 of 28

20662-50003

EASTERN DISTRICT OF NEW YORK		
STATE FARM MUTUAL AUTOMOBILE INSURANCE, ET AL		INDEX #: 20-CV-00443 (JPO)
- against - FATIHA, ET AL.	Plaintiff Petittior	
	Defend Respon	ALTORNEY FILET:

STATE OF NEW YORK: COUNTY OF NASSAU: ss:

UNITED STATES DISTRICT COURT FOR THE

STEFPHANIE CORLEONE, BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION AND IS OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK

That on 10/26/2022, 03:50PM at 99 WASHINGTON AVENUE, 6TH FLOOR, ALBANY NY 12231, deponent served a SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION on SVA ENTERPRISES, INC NAMED HEREIN AS SVA ENTERPRISES INC., a witness in the above action.

Deponent served SUE ZOUKY, an employee with the NEW YORK Secretary of State, with 2 copies of the above described papers and a fee of \$40.00, pursuant to section 306B of the NY BUSINESS CORPORATION LAW.

Deponent completed service by depositing a copy of the SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION AND NOTICE OF SERVICE in a post paid, properly addressed envelope in an official depository under the exclusive care and custody of the United States Post Office in the State of NEW YORK, on 10/26/2022 addressed to witness SVA ENTERPRISES, INC NAMED HEREIN AS SVA ENTERPRISES INC. at PO BOX 908, HUNTER, NEW YORK 12442 with the envelope bearing the legend PERSONAL AND CONFIDENTIAL and did not indicate on the outside thereof that the communication was from an attorney or concerned an action against the witness, SVA ENTERPRISES, INC NAMED HEREIN AS SVA ENTERPRISES INC.

DEPONENT DESCRIBES THE INDIVIDUAL SERVED AS FOLLOWS:

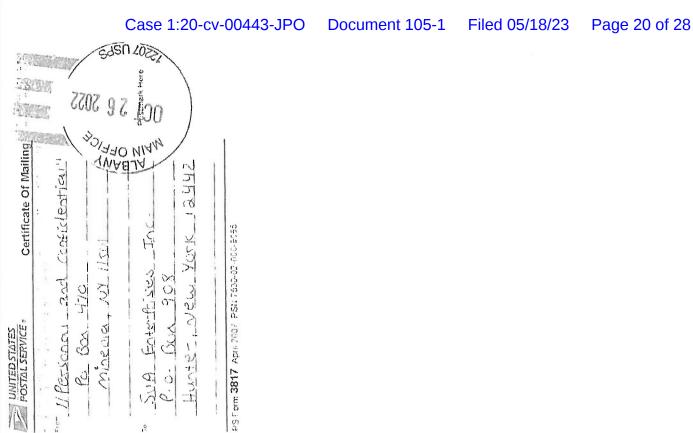
Sex F Approximate age 54 Approximate height 5'05" Approximate weight 170 Color of skin WHITE Color of hair BLONDE

RIVKIN RADLER LLP

926 RXR PLAZA

UNIONDALE, NY 11556-0926 (516)357-3000

Sworn to before me on 10/29/2022 MAUREEN MCCAFFREY NO.01MC5018583 NOTARY PUBLIC, STATE OF NEW YORK QUALIFIED IN SUFFOLK COUNTY COMMISSION EXPIRES OCTOBER 4, 2025



5.19





AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the

	Eastern District of	f New York	
P <i>i</i> Fatir	tomobile Insurance, et al. aintiff) v.) aa, et al.) fendant)	Civil Action N	o. 20-CV-00443 (JPO)
SUBPO	DENA TO PRODUCE DOCUMEN TO PERMIT INSPECTION OF I	NTS, INFORMATI PREMISES IN A O	ON, OR OBJECTS CIVIL ACTION
То:	263 Broadway, Lynb		
THE RESIDENCE OF STREET	(Name of person to who	m this subpoena is direc	eted)
documents, electronically material: See Attache		o permit inspection	, copying, testing, or sampling of the
Place: Rivkin Radler, LL	P	Date and Tim	e:
926 RXR Plaza			11/08/2022 10:00 am
Uniondale, New `	York 11556		
ather managery necessed	emises: YOU ARE COMMANDED or controlled by you at the time, date rvey, photograph, test, or sample the	e, and location set to	orth below, so that the requesting party signated object or operation on it.
Rule 45(d), relating to vo	ovisions of Fed. R. Civ. P. 45 are attour protection as a person subject to a and the potential consequences of no	a subpoena; and Kul	relating to the place of compliance; le 45(e) and (g), relating to your duty to
	OLEDV OF COLIDT		
	CLERK OF COURT	OR	S 16 16 16 16 16 16 16 16 16 16 16 16 16
			/s/ Garin Scollan
	Signature of Clerk or Deputy Clerk	t ·	Attorney's signature
The name address a ma	il address, and telephone number of	the attorney represe	nting (name of parly)
	obile Insurance Company	, who i	ssues or requests this subpoena, are:
Carin Scollan 926 RYR	Plaza, Uniondale, NY 11556, garin.s	scollan@rivkin.com,	516-357-3000
Garill Goolan, 920 TARK			
If this subpoena commar	Notice to the person who issued the production of documents, elec	ctronically stored in	formation, or tangible things or the

inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action (Page 2)

Civil Action No. 20-CV-00443 (JPO)

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

(date)			
☐ I served the	subpoena by delivering a copy to the na	amed person as follows:	
		on (date) ;	or
,	e subpoena unexecuted because:		
Unless the subp	ooena was issued on behalf of the Unite witness the fees for one day's attendan	d States, or one of its officers or agents, I ce, and the mileage allowed by law, in the	have also amount of
\$	•		
fees are \$	for travel and \$	for services, for a total of \$	0.00
I declare under	penalty of perjury that this information	is true.	
te:		Server's signature	
		Printed name and title	
3			
	4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4	Server's address	

Additional information regarding attempted service, etc.:

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

(1) For a Trial, Hearing, or Deposition. A subpocna may command a person to attend a trial, hearing, or deposition only as follows:

(A) within 100 miles of where the person resides, is employed, or

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(B) within the state where the person resides, is employed, or regularly transacts business in person, if the person

(i) is a party or a party's officer; or

(ii) is commanded to attend a trial and would not incur substantial

(2) For Other Discovery. A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
 - (B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction-which may include lost earnings and reasonable attorney's fees-on a party or attorney who fails to comply.

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compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

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(A) When Required. On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

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(i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

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(A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

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(g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court-may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

RIDER "A"

Time Period:

January 1, 2013 to the Present.

Categories:

For the time period identified above:

- 1. All agreements or contracts (including all schedules and exhibits) between: (i) MJ Distributors, Inc. ("MJ Distributors") and (ii) Bronx Management, Inc., Concept Medical Supply, Inc., Michael Berezovsky, Tri-Mount Acupuncture, P.C., Daehan Yoon, and/or any individual or entity operating from 489 Brook Avenue, Bronx, New York (collectively, the "Brook Ave Parties").
- 2. All written communications, including but not limited to letters, emails, text messages, and/or facsimile transmissions, between: (i) MJ Distributors and (ii) any of the Brook Ave Parties.
- 3. All documents related to or reflecting payments made to MJ Distributors by or on behalf of any of the Brook Ave Parties.
- 4. All documents reflecting or demonstrating any goods and/or services performed or provided by MJ Distributors to, for, or on behalf of any of the Brook Ave Parties.

Note: To the extent this rider references a corporation or individual, the reference is to that corporation or individual directly or any individual or entity acting for or on its behalf, including any attorneys or law firms representing that corporation or individual.

Please contact Rivkin Radler LLP, c/o Garin Scollan, Esq. with any questions at (516) 357-3372 or garin.scollan@rivkin.com.

AFFIDAVIT OF SERVICE

EASTERN DISTRICT OF NEW YORK			0		
STATE FARM MUTUAL AUTOMOBILE INSURANCE, ET AL.			INDEX #: 20-CV-00443 (JPO)		
- agair FATIHA, ET AL.	- against -	Plaintiff(s) Petittioner(s)	RETURN DATE: 11/8/22 @ 10:00AM	Date-book Lin, and a 1 th	•
		Defendant(s) Respondent(s)	ATTORNEY FILE#: 20662-50003		

STATE OF NEW YORK: COUNTY OF NASSAU: ss:

STEFPHANIE CORLEONE, BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION AND IS OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK

That on 10/26/2022, 03:50PM at 99 WASHINGTON AVENUE, 6TH FLOOR, ALBANY NY 12231, deponent served a SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION on MJ DISTRIBUTORS, INC NAMED HEREIN AS MJ DISTRIBUTORS, INC., a witness in the above action.

Deponent served SUE ZOUKY, an employee with the NEW YORK Secretary of State, with 2 copies of the above described papers and a fee of \$40.00, pursuant to section 306B of the NY BUSINESS CORPORATION LAW.

Deponent completed service by depositing a copy of SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION in a post paid, properly addressed envelope in an official depository under the exclusive care and custody of the United States Post Office in the State of NEW YORK, on 10/26/2022 addressed to witness MJ DISTRIBUTORS, INC NAMED HEREIN AS MJ DISTRIBUTORS, INC. at 263 BROADWAY, LYNBROOK, NEW YORK 11563 with the envelope bearing the legend PERSONAL AND CONFIDENTIAL and did not indicate on the outside thereof that the communication was from an attorney or concerned an action against the witness, MJ DISTRIBUTORS, INC NAMED HEREIN AS MJ DISTRIBUTORS, INC...

DEPONENT DESCRIBES THE INDIVIDUAL SERVED AS FOLLOWS:

Sex F Approximate age 54 Approximate height 5'05" Approximate weight 170 Color of skin WHITE Color of hair BLONDE

RIVKIN RADLER LLP

926 RXR PLAZA

UNIONDALE, NY 11556-0926 (516)357-3000

STEFPHANIE CORLEONE

Sworn to before me on 10/29/2022 MAUREEN MCCAFFREY NO.01MC5018583 NOTARY PUBLIC, STATE OF NEW YORK QUALIFIED IN SUFFOLK COUNTY COMMISSION EXPIRES OCTOBER 4, 2025

Lynbrook, New

MI Distributors,

Mineola, Ay 6 Box 470

PS Form 3817, April 2007 PSN 7530-02-000-9065

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